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DEPARTMENT OF STATE

Washington, D.C. 20520

MEMORANDUM

February 27, 1981

TO : IO - Elliott Abrams

FROM : IO/HNP - Neil A. Boyer NAB

SUBJECT : WHO Infant Feeding Code: USG Position

The status of development of the US position is this: The DHHS Office of International Health is preparing an options paper for Secretary Schweiker. It will ask him to choose a position for DHHS and also to authorize OIH Director Jack Bryant to convene the interagency group so that the USG position may then be discussed and ultimately agreed upon. It is not likely that the group will be convened before mid-March.

Nevertheless, because there is some urgency involved, I have gone ahead to prepare a draft of the formal position paper, and it is attached. At the moment it reflects only my own views. I have distributed this to L and EB working level people in the hope that, at least at the State Department, we can come to some agreement on our own stance. We may then wish to distribute this to the interagency group for its consideration. I would welcome your comments.

You will note that the situation has been complicated somewhat by the language of the resolution that has been put forward to implement the code. We are trying to develop some skid-greasing techniques to get easy amendment of the resolution while avoiding opening up the text of the code for amendment.

Attachment:
As Stated

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY [illegible] DATE 11-18-82

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HHS

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George W. Koch
President/Chief Executive Officer

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February 13, 1981

The Honorable Alexander M. Haig, Jr.
The Secretary
Department of State
2201 C St. N.W.
Washington, D.C. 20520

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Dear Mr. Secretary:

As you are aware, organizations in this country and abroad have sought to bring government sanctions and public pressure against multinational businesses to curtail the marketing of their products. These activist groups have now enlisted the aid of the World Health Organization to develop a code that would sharply restrain American firms from marketing infant foods and disseminating nutritional information for pregnant women and mothers throughout the world.

The Grocery Manufacturers of America, Inc. (GMA) is the trade association of the nation's leading manufacturers of food and grocery products. We are deeply concerned about the proposed code because:

1. Its scope inappropriately includes all foods that might be consumed by infants, including for example, cereals and pureed vegetables.

2. It was developed without public notice or opportunity for comment.

3. It is a precedent with significant ramifications for regulating the marketing and advertising activities of American firms here and abroad.

We have asked Secretary Schweiker of the Department of Health and Human Services to oppose the proposed code. A copy of our letter to him is enclosed. We hope you will review this matter and provide your assistance to reject this proposed code. We would be pleased to provide additional information regarding our concerns with the code at your convenience.

Sincerely yours,

George W. Koch

GWK:rcr

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President/Chief Executive Officer

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Wm. Underwood Co.

February 13, 1981

The Honorable Richard S. Schweiker
The Secretary
Health and Human Services
200 Independence Avenue S.W.
Washington, D.C. 20201

Dear Mr. Secretary:

We would like to bring to your attention an important matter concerning the proposed International Code of Marketing of Breast Milk Substitutes. The proposed code was developed by the Executive Board of the World Health Assembly with the participation of staff of the Assistant Secretary of Health. We are deeply concerned about the proposed code because:

1. Its scope inappropriately includes all foods that might be consumed by infants, including for example, cereals and pureed vegetables.

2. It was developed without public notice or opportunity for comment.

3. It is a precedent with significant ramifications for regulating the marketing and advertising activities of American firms here and abroad.

We respectfully request that you review the implications of the proposed code and instruct the U.S. delegate to the World Health Assembly to oppose it. We intend to bring these concerns with the code to the attention of the State Department and the U.S. Ambassador to the United Nations.

The Grocery Manufacturers of America, Inc. (GMA) is the trade association of the nation's leading manufacturers of food and grocery products. Therefore, GMA has an interest in those government actions which affect food products.

We would appreciate an opportunity to meet with you and members of your staff to discuss our concerns with the proposed code.

Sincerely yours,

George W. Koch

GWK:rcr